

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

FILED
U.S. DIST COURT
MIDDLE DIST OF LA

VIDALE TASBY
(DOC #330329)

2008 FEB -4 P 4: 03

VERSUS

CIVIL ACTION

BY DEPUTY CLERK

BURL CAIN, ET AL

NO. 07-936-JVP-SCR

RULING

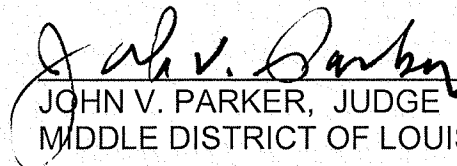
The court has carefully considered the petition, the record, the law applicable to this action, and the Report and Recommendation (doc. 8) of United States Magistrate Judge Stephen C. Riedlinger dated January 14, 2008. Plaintiff has filed an objection (doc. 10) which merely restates legal argument and does not require de novo findings under 28 U.S.C. 636.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein.

Accordingly, this action shall be dismissed pursuant to 28 U.S.C. § 1915 (e) (2) (B) (ii) and without prejudice to any state law claim.

Judgment shall be entered accordingly.

Baton Rouge, Louisiana, February 4, 2008.



JOHN V. PARKER, JUDGE
MIDDLE DISTRICT OF LOUISIANA